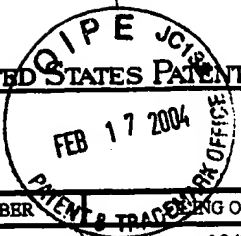




UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
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| APPLICATION NUMBER | FILED OR 371(C) DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO./TITLE |
|--------------------|----------------------|-----------------------|------------------------|
| 09/935,264 | 08/22/2001 | Lawrence W. Kessler | SS101 |

24628
 WELSH & KATZ, LTD
 120 S RIVERSIDE PLAZA
 22ND FLOOR
 CHICAGO, IL 60606

RECEIVED

FEB 23 2004

OFFICE OF PETITIONS

CONFIRMATION NO. 9554
 ABANDONMENT/TERMINATION
 LETTER



OC000000011509664

Date Mailed: 12/17/2003

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 10/03/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

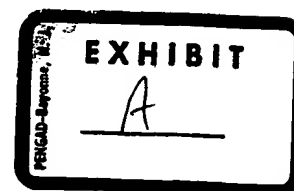
Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

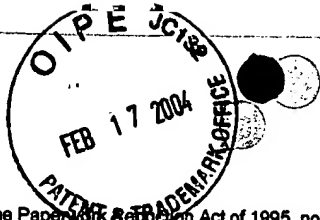
*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE





Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Approved for use through 10/31/2002. OMB 0851-0032
Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

\$65.00

Complete if Known

| | |
|----------------------|------------|
| Application Number | 09/935,267 |
| Filing Date | 8/22/01 |
| First Named Inventor | Kessler |
| Examiner Name | Unknown |
| Group Art Unit | 2856 |
| Attorney Docket No. | 7888/83719 |

RECEIVED

FEB 23 2004

OFFICE OF PETITIONS

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

Deposit
Account
Name

23-0920

Welsh & Katz, Ltd.

- ☒ Charge Any Additional Fee Required
Under 37 CFR §§ 1.16 and 1.17
☒ Applicant claims small entity status.
See 37 CFR § 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity
Fee Fee Fee Fee Fee Description
Code (\$) Code (\$) Code (\$)

| | | | | | |
|-----|-----|-----|-----|------------------------|--|
| 101 | 740 | 201 | 370 | Utility filing fee | |
| 106 | 330 | 206 | 165 | Design filing fee | |
| 107 | 510 | 207 | 255 | Plant filing fee | |
| 108 | 740 | 208 | 370 | Reissue filing fee | |
| 114 | 160 | 214 | 80 | Provisional filing fee | |

SUBTOTAL (1)

2. EXTRA CLAIM FEES

Extra Claims Fee from below Fee Paid
Total Claims 20** = 0 X = 0.00
Independent Claims 3** = 0 X = 0.00
Multiple Dependent =

Large Entity Small Entity

| | |
|--|--|
| Fee Fee Fee Fee Fee Description Code (\$) Code (\$) Code (\$) | |
| 103 18 203 9 | Claims in excess of 20 |
| 102 84 202 42 | Independent claims in excess of 3 |
| 104 280 204 140 | Multiple dependent claim, if not paid |
| 109 84 209 42 | ** Reissue independent claims over original patent |
| 110 18 210 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2)

\$0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|----------|----------|----------|----------|--|----------|
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | 65.00 |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non - English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for ex parte reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 400 | 216 | 200 | Extension for reply within second month | |
| 117 | 920 | 217 | 460 | Extension for reply within third month | |
| 118 | 1,440 | 218 | 720 | Extension for reply within fourth month | |
| 128 | 1,960 | 228 | 980 | Extension for reply within fifth month | |
| 119 | 320 | 219 | 160 | Notice of Appeal | |
| 120 | 320 | 220 | 160 | Filing a brief in support of an appeal | |
| 121 | 280 | 221 | 140 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,280 | 241 | 640 | Petition to revive - unintentional | |
| 142 | 1,280 | 242 | 640 | Utility issue fee (or reissue) | |
| 143 | 460 | 243 | 230 | Design issue fee | |
| 144 | 620 | 244 | 310 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Processing fee under 37 CFR § 1.17(q) | |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Statement | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | |
| 146 | 740 | 246 | 370 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 740 | 249 | 370 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 740 | 279 | 370 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

\$65.00

SUBMITTED BY

| | | | | | |
|-------------------|-------------------|------------------|--------|-----------|----------------|
| Name (Print/Type) | Steven E. Feldman | Registration No. | 40,604 | Telephone | (312) 655-1500 |
| Signature | | (Attorney/Agent) | | Date | 12/3/01 |

WARNING: Information in this form may become public. Credit card information should not be included in this form. Provide credit card information and authorization on

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual. The amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington

PENALTY - \$100,000, N. 1.

EXHIBIT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kessler et al.

Group No.: 2856

Serial No.: 09/935,264

Examiner: N/A

Filed: August 22, 2001

For: Acoustic Micro Imaging Method
Providing Improved Information
Derivation and Visualization

I hereby certify that this paper is being deposited with the United States Postal Service as EXPRESS MAIL POST OFFICE TO ADDRESSEE service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: Box Missing Parts, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202:

Attorney
Docket No: 7888/83719 (SS 101)

Date: December 3, 2001
Exp. Mail No. EL 769849277US

RESPONSE TO NOTICE OF MISSING PARTS

Box Missing Parts
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Sir:

This is in response to the Notice of Missing Parts mailed October 3, 2001 with a shortened statutory period set to expire two-months from the mailing date of the Notice.

Enclosed herewith is a declaration and power of attorney that has been duly executed by the inventors, Lawrence W. Kessler, Thomas E. Adams, and Michael G. Oravec. Also enclosed are substitute drawings that comply with the margin requirements of 37 CFR 1.84(g). Authorization is hereby provided to charge Deposit Account No. 23-0920 for the \$65 fee set forth in 37 CFR 1.16(e), and for any additional fees that may be required. Overpayments also may be credited to this account. A duplicate copy of this sheet is enclosed.

Respectfully submitted,
WELSH & KATZ, LTD.

By: 

Steven E. Feldman, Reg. No. 40604
Welsh & Katz, Ltd.
120 South Riverside Plaza, 22nd Floor
Chicago, Illinois 60606
(312) 655-1500
Attorney for Applicant